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EXAMINER
FRENEL, VANEL

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/745,011	GULKO ET AL.
	Examiner	**Art Unit**	
	Vanel Frenel	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-111* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-111* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.　A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/23/06 has been entered.

Notice to Applicant

2.　This communication is in response to the Amendment filed on 1/23/06. Claims 1, 34, 67 have been amended. Claims 100-111 have been added. Claims 1-111 are pending.

Claim Rejections - 35 USC § 103

3.　The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.　Claims 1-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (5,704,045), Walker et al (6,119,093), Kern (6,604,080) in view of Aquila et al (2002/0035488).

(A)　As per claim 1, King discloses a method executed in a computer system for

managing monies and information in connection with an insurance insolvency (See King, Col.5, lines 47-67) comprising:

designating a state fund for each state associated with said insurance insolvency (See King, Col.9, lines 9-26);

associating with said state fund an insurance account in the computer system (See King, Col.22, lines 45-62).

King, Walker Kern do not explicitly disclose that the method having associating with said insurance account at least one line of insurance identifying in the computer system at least one of a state statute, regulation and rule relating to the at least one line of insurance associated with the insurance account; and performing at least one insolvency related service in connection with said insurance solvency based on the identified at least one of a state statute, regulation and rule and the at least one line of insurance associated with the insurance account.

However these features are known in the art, as evidenced by Aquila. In particular, Aquila suggests that the method having associating with said insurance account at least one line of insurance identifying in the computer system at least one of a state statute, regulation and rule relating to the at least one line of insurance associated with the insurance account; and performing at least one insolvency related service in connection with said insurance solvency based on the identified at least one of a state statute, regulation and rule and the at least one line of insurance associated with the insurance account (See Aquila, Page 17, Paragraphs 0304-0308; Page 19, Paragraphs 0333-0341).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Aquila within the collective teachings of King,

Walker and Kern with the motivation of auditing sub-system which applies insurance

carrier specific business rules, government regulations, and comprehensive trending

analysis to detect and rectify any inconsistencies and irregular processing of claims, by

auditing internal processes or user or service providers submitted data (See Aquila,

Page 2, Paragraph 0023).

(B)   As per claim 2, Walker discloses the method further comprising: associating at

least one industry standard code with said insurance account and said at least one line

of insurance (See Walker, Col.5, lines 54-65., Col.12, lines 15-40).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(C)   As per claim 3, Walker discloses the method wherein said insurance account is

associated with a plurality of lines of insurance (Col.4, lines 47-67).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(D)   As per claim 4, King discloses the method wherein said insurance account is

associated with at least two lines of insurance each being of type commercial

automobile, worker's compensation, homeowner's and fire (Col.18, lines 14-42).

(E)   As per claim 5, King discloses the method wherein said insurance account is

associated with one line of insurance being of type commercial automobile, worker's

compensation, homeowner's and fire (Col.18, lines 14-42).

(F)   As per claim 6, King discloses the method further comprising: associating a

group with a first of said each states having a corresponding state fund (Col.9, lines 2-

26), and associating at least one member with said group (Col.23, lines 17-21).

(G)   As per claim 7, Walker discloses the method further comprising: storing

information in a computer system representing a relationship between said state fund

and said associated insurance account and said at least one line of insurance (Col.6,

lines 5-23).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(H)   As per claim 8, Walker discloses the method further comprising: representing a

merger of at least two members by combining portions of said information stored in the

computer system (Col.6, lines 5-43).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(I)   As per claim 9, Walker discloses the method further comprising: modifying a

relationship between said at least two members represented in the computer system

(Col.12, lines 55-67 to Col.13, line 17).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(J)   As per claim 10, King discloses the method further comprising: representing a

split of one member into at least two entities using portions of said information stored in

the computer system (Col.22, lines 66-67 to Col.23, line 25).

(K)   As per claim 11, King discloses the method further comprising: modifying a

relationship represented in said computer system of said one member corresponding to

said split into said at least two entities (Col.22, lines 66-67 to Col.23, line 25).

(L)   As per claim 12, King discloses the method further comprising: determining an

insurance account from which a payment is made (Col.16, lines 48-67 to Col.17, line 3).

(M)   As per claim 13, Walker discloses the method wherein said payment is made in

connection with at least one of: a claim and an unearned premium (Col.5, lines 54-65).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(N)   As per claim 14, Walker discloses the method further comprising: tracking

payments (Col.11, lines 41-52), and displaying an accounting of said payments with

respect to a predetermined estimated amount of payments (Col.11, lines 41-52).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(O)   As per claim 15, Walker discloses the method further comprising: tracking total

payments made prior to said insolvency (Col.6, lines 5937 to Col.7, line 6).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(P)   As per claim 16, King discloses the method further comprising: tracking monies

in connection with a recovery amount (Col.11, lines 9-38).

(Q)   As per claim 17, Walker discloses the method of Claim 16, wherein said

recovery amount includes at least one of: a salvage amount, a subrogation recovery, a

second injury amount, a cost of living adjustment, and net worth (Col.14, lines 20-45).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(R)   As per claim 18, Walker discloses the method further comprising: creating a

diary entry including information about one of: a claim and unearned premium (Col.13,

lines 53-67 to Col.14, line 19), and sending said diary entry to at least one user (Col.11, lines 41-67).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1 , and incorporated herein.

(S)   As per daim 19, Walker discloses the method wherein said sending said diary entry is performed automatically in response to an occurrence of a predefined event (Col.1 1, lines 41-67).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1, and incorporated herein.

(T)   As per claim 20, King discloses the method wherein said predefined event is one of deleting a pending payment, closing one of a claim and an unearned premium, upon rejection of a closing one of a claim and unearned premium, modifying a line of insurance, deleting a line of insurance, sending a note to a reviewer, adjusting a reserve, adding a new taxpayer, and modifying an existing taxpayer (Col.21, lines 1-42).

(U)   As per claim 21, Walker discloses the method wherein the method further includes: creating an account for a user specifying a predetermined limit (Col.9, lines 1 1-67 to Col.10, line 23)., specifying, by said user, a reserve amount above said predetermined limit (Col.9, lines 1-30), and sending said diary entry to a manager for approval in response to said user specifying said reserve amount (Co1.8, lines 36-49).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1 , and incorporated herein.

(V)   As per claim 22, Walker discloses the method wherein said sending said diary entry is performed in response to a first user creating said diary entry, and the method further includes: said first user selecting at least one other user to which said diary entry is sent (Col.11, lines 41-67 to Col.12, line 22).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1 , and incorporated herein.

(W)   As per claim 23, Walker discloses the method further comprising: associating at least one note with an insurance claim', associating a blocked status with said insurance claim, and generating, in response to setting said blocked status, a note to at least one user indicating why said insurance claim has a blocked status (Col.11, lines 41-52).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1, and incorporated herein.

(X)   As per claim 24, Walker discloses the method further comprising: automatically notifying a first user when a second user attempts to perform a predetermined operation on said insurance claim having said blocked status (Col.11, lines 41-52).

The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(Y)   As per claim 25, Walker discloses the method further comprising: performing a

transaction in connection with one of an insurance claim and an unearned premium

(Col.13, line 18-34), and determining a corresponding insurance account in accordance

with information about said one of said insurance claims and said unearned premium,

said information including a relationship to a state and at least one line of insurance

associated with said corresponding insurance account (Col.13, line 18-34), and

adjusting an amount associated with said corresponding insurance account in

accordance with said transaction (Col.12, line 41-67).

      The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(Z)   As per claim 26, King discloses the method further comprising: generating a data

file including information about at least one of an unearned premium and a claim, said

data file being used as an input file into an accounting system (Col.11, lines 4-9).

(AA)   As per claim 27, King discloses the method further comprising: generating

general ledger entries, said general ledger entries being included in said data file

(Col.1 1, lines 9-38).

(BB)   As per claim 28, King discloses the method further comprising: associating

information about an insurance claim with said corresponding insurance account

(Col.13, line 18-67 to Col.14, line 18), entering a note associated with an insurance

claims, said note including descriptive information about said claim entered by a claim

handler (Col.8, lines 41-67, Col.15, lines 1-29), and providing for said note to be

available for reading by another user (Col.8, lines 41-67 to Col.9, line 26).

(CC)   As per claim 29, Walker discloses the method further comprising: recording

information about an error in a log file included in a client system (Col.9, lines 11-25).

        The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1 , and incorporated herein.

(DD)   As per claim 30, King discloses the method further comprising: auditing said

transaction by recording audit information about said transaction (Col.17, lines 5-45).

(EE)   As per claim 31, Walker discloses the method wherein said audit information

includes at least one of: date and time information, transaction type, data values prior to

modification by said transaction, and user performing said transaction (Co1.9, lines 47-

67).

        The motivation for combining the respective teachings of King and Walker are as

discussed above in the rejection of claim 1, and incorporated herein.

(FF)   As per claim 32, Walker discloses the method further comprising: generating an

incomplete status of a record including information about a claim, obtaining additional information about said claim (Col.9, lines 57-67), modifying said record to include said additional information (Col.12, lines 55-67 to Col.13, line 17), and converting said incomplete status associated with said record to a claim status (Col.13, lines 5-34). The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1, and incorporated herein.

(GG)   As per claim 33, Walker discloses the method further comprising: assigning at least one role to a first user have a first set of security permissions and access limits (Col.9, lines 11-35), and determining, using said first set of security permissions and access limits, whether to allow a user to perform an operation in connection with said insurance account (Col.11, lines 41-52).

The motivation for combining the respective teachings of King and Walker are as discussed above in the rejection of claim 1, and incorporated herein.

(HH)   As per claim 34, King discloses a computer program product for managing monies and information in connection with an insurance insolvency (See King, Col.5, lines 47-67) comprising: machine executable code for designating a state fund for each state associated with said insurance insolvency, machine executable code for associating with said state fund an insurance account of a first type (See King, Col.9, lines 2-38).

King, Walker Kern do not explicitly disclose that the method having associating

with said insurance account at least one line of insurance identifying in the computer

system at least one of a state statute, regulation and rule relating to the at least one line

of insurance associated with the insurance account; and performing at least one

insolvency related service in connection with said insurance solvency based on the

identified at least one of a state statute, regulation and rule and the at least one line of

insurance associated with the insurance account.

However these features are known in the art, as evidenced by Aquila. In

particular, Aquila suggests that the method having associating with said insurance

account at least one line of insurance identifying in the computer system at least one of

a state statute, regulation and rule relating to the at least one line of insurance

associated with the insurance account; and performing at least one insolvency related

service in connection with said insurance solvency based on the identified at least one

of a state statute, regulation and rule and the at least one line of insurance associated

with the insurance account (See Aquila, Page 17, Paragraphs 0304-0308; Page 19,

Paragraphs 0333-0341).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Aquila within the collective teachings of King,

Walker and Kern with the motivation of auditing sub-system which applies insurance

carrier specific business rules, government regulations, and comprehensive trending

analysis to detect and rectify any inconsistencies and irregular processing of claims, by

auditing internal processes or user or service providers submitted data (See Aquila,

Page 2, Paragraph 0023).

(II)   Claims 35-66 repeat the subject matter of claims 2-33 and respectively as a set

of "machine-executable code" rather than a series of steps. As underlying process of

claims 2-33 have been shown to be obvious in view of the collective teachings of King,

Walker, Kern and Aquila, it is readily apparent that the system disclosed by the applied

prior art performs the recited underlying functions. As such, the limitations recited in

claims 35- 66 are rejected for the same reasons given above for method claims 2-33,

and incorporated herein.

(JJ)   As per claim 67, King discloses a computer system for managing monies and

information in connection with an insurance insolvency (See King, Col.5, lines 47-67),

the system comprising: a designation system in the computer system that designates a

state fund for each state associated with the insurance insolvency (See King, Col.9,

lines 9-26).

King, Walker and Kern do not explicitly disclose that the system having a state

fund association system in the computer system associates with the state fund an

insurance account.

an insurance account association system in the computer system that associates

with the insurance account at least one line of insurance;

an identification system that identifies in the computer system at least one of a

state statute, regulation and rule relating to the at least one line of insurance associated

with the insurance account; and an insolvency processing system that performs at least

one insolvency related service in connection with said insurance solvency based on the

identified at least one of a state statute, regulation and rule and the at least one line of

insurance associated with the insurance account.

However, these features are known in the art, as evidenced by Aquila. In

particular, Aquila suggests that the system having a state fund association system in the

computer system associates with the state fund an insurance account (See Aquila,

an insurance account association system in the computer system that associates

with the insurance account at least one line of insurance (See Aquila, Page 17,

Paragraphs 0304-0308; Page 19, Paragraphs 0333-0341);

an identification system that identifies in the computer system at least one of a state

statute, regulation and rule relating to the at least one line of insurance associated with

the insurance account (See Aquila, Page 17, Paragraphs 0304-0308; Page 19,

Paragraphs 0333-0341); and

an insolvency processing system that performs at least one insolvency related

service in connection with said insurance solvency based on the identified at least one

of a state statute, regulation and rule and the at least one line of insurance associated

with the insurance account (See Aquila, Page 17, Paragraphs 0304-0308; Page 19,

Paragraphs 0333-0341).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Aquila within the collective teachings of King,

Walker and Kern with the motivation of auditing sub-system which applies insurance

carrier specific business rules, government regulations, and comprehensive trending

analysis to detect and rectify any inconsistencies and irregular processing of claims, by

auditing internal processes or user or service providers submitted data (See Aquila,

Page 2, Paragraph 0023).

(KK)   Claims 68-99 repeat the subject matter of claims 35-66 and respectively as a set

of "machine–executable code" rather than a series of steps. As underlying process of

claims 35-66 have been shown to be obvious in view of the collective teachings of King,

Walker, Kern and Aquila, it is readily apparent that the system disclosed by the applied

prior art performs the recited underlying functions. As such, the limitations recited in

claims 68-99 are rejected for the same reasons given above for method claims 35-66,

and incorporated herein.

(LL)   As per claim 100, Aquila discloses the method wherein the performing at least

one insolvency related service in connection with said insurance solvency further

comprises: entering one or more claims from said insurance solvency into the computer

system (See Aquila, Page 16, Paragraphs 0291-0295); and

        processing the entered one or more claims from said insurance insolvency based

on the identified at least one of a state statute, regulation and rule and the insurance

account and the at least one line of insurance associated with each of the one or

more entered claims (See Aquila, Page 16, Paragraphs 0283-0286).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(MM) As per claim 101, Aquila discloses the method wherein the performing at least

one insolvency related service in connection with said insurance solvency further

comprises:

determining if an assessment is needed based on a size of said insurance

solvency, at least an amount in the designated state fund, and the identified at least one

of a state statute, regulation and rule (See Aquila, Page 16, Paragraphs 0283-0286);

and

performing an assessment based on the determination of the need of the

assessment (See Aquila, Page 17, Paragraphs 0300).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(NN) As per claim 102, Aquila discloses the method wherein the performing at least

one insolvency related service in connection with said insurance solvency further

comprises issuing a refund for each policy in the at least one line of insurance based on

a calculation of an unearned premium and the identified at least one of a state statute,

regulation and rule (See Aquila, Page 19, Paragraphs 0325-0331).

The motivation for combining the respective teachings of King, Walker, Kern and Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(OO)   As per claim 103, Aquila discloses the method wherein the performing at least one insolvency related service in connection with said insurance solvency further comprises processing one or more additional claims in the at least one line of insurance for a first period of time after said insurance solvency based on the identified at least one of a state statute, regulation and rule (See Aquila, Page 21, Paragraphs 0356-0362).

The motivation for combining the respective teachings of King, Walker, Kern and Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(PP)   As per claim 104, Aquila discloses the computer program product wherein the performing at least one insolvency related service in connection with said insurance solvency further comprises:

entering one or more claims from said insurance solvency into the computer system (See Aquila, Page 16, Paragraphs 0291-0295); and

processing the entered one or more claims from said insurance insolvency based on the identified at least one of a state statute, regulation and rule and the insurance account and the at least one line of insurance associated with each of the one or more entered claims (See Aquila, Page 17, Paragraphs 0304-0308; Page 19, Paragraphs 0333-0341).

The motivation for combining the respective teachings of King, Walker, Kern and Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(QQ) As per claim 105, Aquila discloses the computer program product wherein the performing at least one insolvency related service in connection with said insurance solvency further comprises:

determining if an assessment is needed based on a size of said insurance solvency, at least an amount in the designated state fund, and the identified at least one of a state statute, regulation and rule (See Aquiila, Page 16, Paragraphs 0283-0286); and

performing an assessment based on the determination of the need of the assessment (See Aquila, Page 17, Paragraphs 0300).

The motivation for combining the respective teachings of King, Walker, Kern and Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(RR)   As per claim 106, Aquila discloses the computer program product wherein the performing at least one insolvency related service in connection with said insurance solvency further comprises issuing a refund for each policy in the at least one line of insurance based on a calculation of an unearned premium and the identified at least one of a state statute, regulation and rule (See Aquila, Page 19, Paragraphs 0325-0331).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(SS)   As per claim 107, Aquila discloses the computer program product wherein the

performing at least one insolvency related service in connection with said insurance

solvency further comprises processing one or more additional claims in the at least one

line of insurance for a first period of time after said insurance solvency based on the

identified at least one of a state statute, regulation and rule (See Aquila, Page 21,

Paragraphs 0356-0362).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(TT)   As per claim 108, Aquila discloses the system wherein the insolvency processing

system performs at least one insolvency related service in connection with said

insurance solvency further comprises an input processing interface that enters one or

more claims from said insurance solvency into the computer system and processes the

entered one or more claims from said insurance insolvency based on the identified at

least one of a state statute, regulation and rule and the insurance account and the at

least one line of insurance associated with each of the one or more entered claims (See

Aquila, Page 16, Paragraphs 0289-0296).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(UU)   As per claim 109, Aquila discloses the system wherein the insolvency processing

system performs at least one insolvency related service in connection with said

insurance solvency further comprises an assessment processing system that

determines if an assessment is needed based on a size of said insurance solvency, at

least an amount in the designated state fund, and the identified at least one of a state

statute, regulation and rule and performs an assessment based on the determination of

the need of the assessment (See Aquila, Page 16, Paragraphs 0283-0286).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(VV)   As per claim 110, Aquila discloses the system wherein the insolvency processing

system performs at least one insolvency related service in connection with said

insurance solvency further comprises an unearned premium processing system that

issues a refund for each policy in the at least one line of insurance based on a

calculation of an unearned premium and the identified at least one of a state statute,

regulation and rule (See Aquila, Page 19, Paragraphs 0325-0331).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein.

(WW) As per claim 111, Aquila discloses the system wherein the insolvency processing

system performs at least one insolvency related service in connection with said

insurance solvency further comprises a claims processing system that process one or

more additional claims in the at least one line of insurance for a first period of time after

said insurance solvency based on the identified at least one of a state statute,

regulation and rule (See Aquila, Page 21, Paragraphs 0356-0362).

The motivation for combining the respective teachings of King, Walker, Kern and

Aquila are as discussed above in the rejection of claim 1, and incorporated herein

Response to Arguments

5.   Applicant's arguments filed on 01/23/06 with respect to claims 1-111 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not the applied art teaches method and apparatus

of creating financial instrument and administering an adjustable rate loan system

(5,742,775), method and apparatus for establishing and enhancing the creditworthiness

of intellectual property (6,330,547), method and apparatus for facilitating customer

payments to creditors from a remote site (6,119,106) and a report on the proceedings of

the Joint Symposium on Insolvency and Secured Transactions by (Charles D. Booth 26-

27 Octobre 1999).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on Monday-Thursday from 6:30 am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

V·F

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February 3, 2006

C. LUKE GILLIGAN
PATENT EXAMINER